GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Environment, Forests, Science & Technology Department – Case under the Prevention of Corruption Act, 1988 for possession of assets disproportionate to his known sources of income against Sri K. Ramesh, Senior Environmental Engineer (Task Force), A.P. Pollution Control Board, Visakhapatnam – Request for sanction of Prosecution – Refused – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.RT.No. 21 **Dated: 21-03-2025**

Read the following:-

1)From the Director General, Anti-Corruption Bureau, A.P., Hyderabad, Letter Rc.C.No.177/RCA-WVP/2014, dated 22.05.2015.
2)G.O.Ms.No.44, Environment, Forests, Science & Technology (Sec.IV) Department, dated 06.05.2016.
3)From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Letter Rc.No.177/RCA-WVP/2014-S11, dated 02.06.2017.
4)Govt. Memo.No.2836/Sec.IV/A1/2015, Environment, Forests, Science & Technology (Sec.IV) Department, dated 26.06.2018.
5)From the Hon'ble Court of Special Judge for SPE & ACB Cases, Visakhapatnam, Order dated 05.10.2018 in R.C.No.02/2018 (Crime No.20/RCA-ACB-VSP/2014).
6)From the Hon'ble High Court of A.P., Interim Orders dated 11.03.2024 & 02.04.2024 in W.A.No.934/2022.
7)From the General Administration (SC.F) Department, Memo. No.2363500/SC.F/A1/2024, dated 28.03.2024.
8)From the Director General, Anti-Corruption Bureau, A.P., Vijayawada, Letter.Rc.No.177/RCA-WVP/2014 S.11, dated 24.04.2024.

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ORDER:

In the letter first read above, the Director General, Anti-Corruption Bureau, A.P., Hyderabad has furnished the Preliminary Report that Sri K. Ramesh, Senior Environmental Engineer (Task Force), A.P. Pollution Control Board, Visakhapatnam has acquired assets disproportionate to the known sources of his income by indulging in corrupt practices, and a case vide Cr.No.20/RCA-VSP/2014,under section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 was registered against him on 30.07.2014.

2. In the G.O. second read above, Government have authorized the Investigating Officer of the Anti Corruption Bureau, Visakhapatnam Range, for making an application before the Hon'ble Court of the III Additional Special Judge for Special Police Establishment & Anti-Corruption Bureau Cases, Visakhapatnam for attachment of accused officer's properties worth Rs.1,04,90,064/- (Rupees One crore four lakhs ninety thousand and sixty four only).

3. In the letter third read above, the Director General, Anti-Corruption Bureau, A.P., Vijayawada has furnished the Final Report and recommended to prosecute the accused officer Sri K. Ramesh, Senior Environmental Engineer in a court of law for the offence under section 13(1)(e) read with 13(2) of the Prevention of Corruption Act, 1988 and to issue prosecution sanction order as required under section 19(1)(b) of the Prevention of Corruption Act, 1988.

[P.T.O]

4. The Accused Officer in his representations, while submitting the documentary evidences for the assets possessed by him, has stated that he has no Disproportionate Assets as contended by the Director General, Anti-Corruption Bureau and requested to consider the evidences submitted by him and requested to drop further action against him.

5. After examining the Final Report of the Director General, Anti-Corruption Bureau and after following due procedure, Government have not considered the request of the Director General, Anti-Corruption Bureau for prosecution of the Accused Officer Sri K. Ramesh, Senior Environmental Engineer, Andhra Pradesh Pollution Control Board, duly stating the reasons in the form of speaking order vide Govt. Memo fourth read above.

6. In the reference fifth read above, the Hon'ble Court of Special Judge for SPE & ACB Cases, Visakhapatnam in its Order dated 05.10.2018 in R.C.No.02/2018 (Crime No.20/RCA-ACB-VSP/2014) have made the following Order:

> *"Perused the Final Report and Memo enclosed to it vide Memo. No.2836/Sec.IV/A1/2015, dated 26.06.2018 issued by the Government of Andhra Pradesh, Environment, Forest, Science & Technology (Sec.IV) Department entrusting the case against the Accused to Department Inquiry mainly on the reason that the disproportionate assets of Accused found worth of Rs.12,38,677/- which comes to 9.23% and less than 10% total income of accused. As cited by Spl. PP the Memo 368/Spl.B/2002-1, General Administration (Spl.B) Department dated 28.02.2003 reduction of margin in D.A. cases is from 20% to 10% only. In these circumstances, I feel that no purpose will be served even the accused is prosecuted on the foundation of disproportionate of assets calculated by the I.O. Hence the final report is accepted and issue of RC proceedings accordingly."*

7. The Director General, Anti-Corruption Bureau, A.P., Vijayawada in the letter eighth read above, while quoting the interim orders passed in W.A.No.934 of 2022 vide reference sixth read above and instructions issued in the Memo seventh read above, has stated among others that, there are no specific reasons/speaking order for rejection nor there is any clear rejection/denial in the Government order and therefore, requested to accord sanction for prosecution of the accused officer Sri K. Ramesh, Senior Environmental Engineer (Task Force), Andhra Pradesh Pollution Control Board.

8. Government after detailed examination of the Final Report of the Director General, Anti-Corruption Bureau and taking into consideration of the remarks of the Member Secretary, Andhra Pradesh Pollution Control Board, Vijayawada on the representation of the accused officer and in view of Government Memo.No.623/Spl.C/A1/2008-2, General Administration (Spl.C) Department, dated 15.10.2008, have observed that the Disproportionate Assets of Accused Officer comes to Rs.12,38,677/- i.e., 9.23% of the income of the Accused Officer., which is below the permissible margin of 20%.

[Contd..P-3]

9. After considering the above facts of the case, Government hereby refuse the request of the Director General, Anti-Corruption Bureau for prosecution of the Accused Officer Sri K. Ramesh, Senior Environmental Engineer (Task Force), Andhra Pradesh Pollution Control Board, as the Disproportionate Assets is 9.23% i.e., within the permissible limits allowed in Govt. Memo.No.623/Spl.C/A1/2008-2, General Administration (Spl.C) Department, dated 15.10.2008.

10. The Director General, Anti-Corruption Bureau, A.P., Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.
Copy to:
The Member Secretary, A.P. Pollution Control Board, Vijayawada.
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
SF/SC (Computer No.923485).

//FORWARDED :: BY ORDER//

SECTION OFFICER